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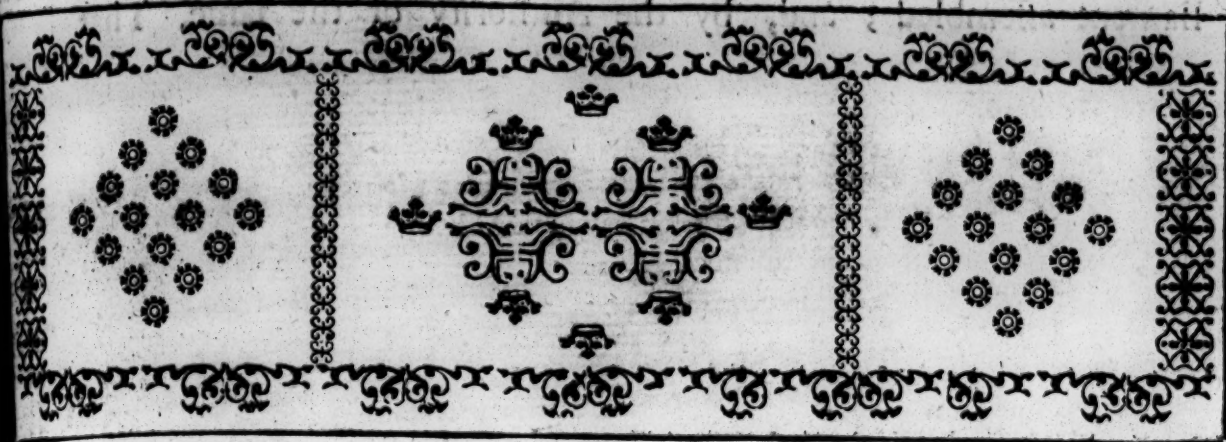
22.

212. K. 7
22

Duplicate of 212. K. 7 (5) above

[1] *England. - Parliament [Bills. - II. George II.]*

Read
20 Feb 1753



A

B I L L

F O R

*Repairing and Widening the Road from
Rochdale to Burnley, in the County
of Lancaster.*

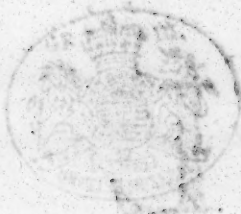
Whereas the High Road leading from Rochdale, in the County Preamble.
of Lancaster, ~~up Road Lane, and over Grankashaw, by Pot-~~
~~Oven, to Shayford, and from thence through Baccop,~~ to
Burnley, in the same County, is, in divers Places, so bad,
ruinous, and narrow, that Travellers cannot pass thereon
without great Danger; and as the said Road cannot be ef-
fectually amended, widened, and kept in good Repair, by the ordinary
Means provided by Law for repairing the Highways of this
County;

May it therefore please Your MAJESTY,

it may be Enacted; And be it Enacted, by the KING's
Excellent MAJESTY, by and with the Advice and Consent of
the

the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled; and, by the Authority of the same, That

Trustees
Names,



shall be, and they are hereby appointed, Trustees for putting this Act in Execution; and they and their Successors, or any ~~nine~~ or more of them, or such Person or Persons as they, or any ~~nine~~ or more of them, shall appoint, shall and may erect, or cause to be erected, One or more Gate ^{Their Power to erect Gates.} or Gates, Turnpike or Turnpikes, in or cross any Part or Parts of the said Road, and also a Toll-house or Toll-houses in or upon the same; and shall receive, at every such Gate or Turnpike, the Tolls and Duties following, before any Horse, Cattle, or Carriage whatsoever shall be permitted to pass through the same; that is to say, For every Coach ^{Tolls.} or Chariot

Postilion, Phaeton, Chair, Coach, Chair, Hearse or Litter Drawn by two Horses the sum of two Shillings and drawn by three Horses the sum of 1. 6 and drawn by four Horses the sum of 2. 0 and drawn by five Horses the sum of 2. 6 and drawn by six Horses the sum of 3. 0 and drawn by seven Horses the sum of 3. 6 and drawn by eight Horses the sum of 4. 0 and drawn by nine Horses the sum of 4. 6 and drawn by ten Horses the sum of 5. 0 and drawn by eleven Horses the sum of 5. 6 and drawn by twelve Horses the sum of 6. 0 and drawn by thirteen Horses the sum of 6. 6 and drawn by fourteen Horses the sum of 7. 0 and drawn by fifteen Horses the sum of 7. 6 and drawn by sixteen Horses the sum of 8. 0 and drawn by seventeen Horses the sum of 8. 6 and drawn by eighteen Horses the sum of 9. 0 and drawn by nineteen Horses the sum of 9. 6 and drawn by twenty Horses the sum of 10. 0 and drawn by twenty one Horses the sum of 10. 6 and drawn by twenty two Horses the sum of 11. 0 and drawn by twenty three Horses the sum of 11. 6 and drawn by twenty four Horses the sum of 12. 0 and drawn by twenty five Horses the sum of 12. 6 and drawn by twenty six Horses the sum of 13. 0 and drawn by twenty seven Horses the sum of 13. 6 and drawn by twenty eight Horses the sum of 14. 0 and drawn by twenty nine Horses the sum of 14. 6 and drawn by thirty Horses the sum of 15. 0 and drawn by thirty one Horses the sum of 15. 6 and drawn by thirty two Horses the sum of 16. 0 and drawn by thirty three Horses the sum of 16. 6 and drawn by thirty four Horses the sum of 17. 0 and drawn by thirty five Horses the sum of 17. 6 and drawn by thirty six Horses the sum of 18. 0 and drawn by thirty seven Horses the sum of 18. 6 and drawn by thirty eight Horses the sum of 19. 0 and drawn by thirty nine Horses the sum of 19. 6 and drawn by forty Horses the sum of 20. 0 and drawn by forty one Horses the sum of 20. 6 and drawn by forty two Horses the sum of 21. 0 and drawn by forty three Horses the sum of 21. 6 and drawn by forty four Horses the sum of 22. 0 and drawn by forty five Horses the sum of 22. 6 and drawn by forty six Horses the sum of 23. 0 and drawn by forty seven Horses the sum of 23. 6 and drawn by forty eight Horses the sum of 24. 0 and drawn by forty nine Horses the sum of 24. 6 and drawn by fifty Horses the sum of 25. 0 and drawn by fifty one Horses the sum of 25. 6 and drawn by fifty two Horses the sum of 26. 0 and drawn by fifty three Horses the sum of 26. 6 and drawn by fifty four Horses the sum of 27. 0 and drawn by fifty five Horses the sum of 27. 6 and drawn by fifty six Horses the sum of 28. 0 and drawn by fifty seven Horses the sum of 28. 6 and drawn by fifty eight Horses the sum of 29. 0 and drawn by fifty nine Horses the sum of 29. 6 and drawn by sixty Horses the sum of 30. 0 and drawn by sixty one Horses the sum of 30. 6 and drawn by sixty two Horses the sum of 31. 0 and drawn by sixty three Horses the sum of 31. 6 and drawn by sixty four Horses the sum of 32. 0 and drawn by sixty five Horses the sum of 32. 6 and drawn by sixty six Horses the sum of 33. 0 and drawn by sixty seven Horses the sum of 33. 6 and drawn by sixty eight Horses the sum of 34. 0 and drawn by sixty nine Horses the sum of 34. 6 and drawn by seventy Horses the sum of 35. 0 and drawn by seventy one Horses the sum of 35. 6 and drawn by seventy two Horses the sum of 36. 0 and drawn by seventy three Horses the sum of 36. 6 and drawn by seventy four Horses the sum of 37. 0 and drawn by seventy five Horses the sum of 37. 6 and drawn by seventy six Horses the sum of 38. 0 and drawn by seventy seven Horses the sum of 38. 6 and drawn by seventy eight Horses the sum of 39. 0 and drawn by seventy nine Horses the sum of 39. 6 and drawn by eighty Horses the sum of 40. 0 and drawn by eighty one Horses the sum of 40. 6 and drawn by eighty two Horses the sum of 41. 0 and drawn by eighty three Horses the sum of 41. 6 and drawn by eighty four Horses the sum of 42. 0 and drawn by eighty five Horses the sum of 42. 6 and drawn by eighty six Horses the sum of 43. 0 and drawn by eighty seven Horses the sum of 43. 6 and drawn by eighty eight Horses the sum of 44. 0 and drawn by eighty nine Horses the sum of 44. 6 and drawn by ninety Horses the sum of 45. 0 and drawn by ninety one Horses the sum of 45. 6 and drawn by ninety two Horses the sum of 46. 0 and drawn by ninety three Horses the sum of 46. 6 and drawn by ninety four Horses the sum of 47. 0 and drawn by ninety five Horses the sum of 47. 6 and drawn by ninety six Horses the sum of 48. 0 and drawn by ninety seven Horses the sum of 48. 6 and drawn by ninety eight Horses the sum of 49. 0 and drawn by ninety nine Horses the sum of 49. 6 and drawn by one hundred Horses the sum of 50. 0

Which said respective Sums of Money shall be demanded and taken in ^{Tolls how to} the Name of, or as, a Toll or Duty; and the Monies so to be raised, are ^{be levied and applied.} hereby vested in the said Trustees; and the same, and every Part thereof, shall be applied to and for the altering, amending, widening, and keeping in Repair, the said Road, and to and for such Uses and Purposes, and in such Manner, as herein after is mentioned (the reasonable Charges expended in, about, or by reason of, passing this Act of Parliament, being first deducted and paid): And it shall and may be lawful to and for the said Trustees, or any ~~five~~ or more of them, and such Person or Persons as they, under their Hands and Seals, shall, from time to time, appoint to levy the said Tolls or Duties, upon any Person or Persons, who shall, after Demand made thereof, neglect or refuse to pay the same, as aforesaid, by Distress of any Horse or Horses, or other Cattle, upon which any Toll or Duty is by this Act imposed, or by Distress of any of the Goods and Chattels of such Person or Persons; and if such Tolls or Duties, and the reasonable

sonable Charges of such Distress, shall not be paid within the Space of ~~14~~ Days, such Person or Persons so distraining, may sell the Horses, Cattle and Goods, so distrained, returning the Overplus (if any) upon Demand to the Owner thereof, after such Toll or Duty, and all reasonable Charges shall be deducted.

Penalty on going thro' private Grounds.

And be it further Enacted, by the Authority aforesaid, That if any Person or Persons whomsoever, owning or occupying any Land near to any Turnpike which shall be erected in pursuance of this Act, shall permit or suffer any Person or Persons to pass through any Gate, Passage, or private Way, with any Coach or other Carriage, Horse, or any other Cattle, in order to avoid the Payment of the said Tolls or Duties, or any Part thereof, or if any Person or Persons shall, with any Coach or other Carriage, Horse, or other Cattle, pass through any such Gate, Passage, or private Way, whereby the Payment of any of the said Tolls shall be avoided, or if any Person or Persons shall take off, or cause to be taken off, any Horse or other Cattle, from any Coach or other Carriage, or shall unload any Goods or Merchandise, with an Intent to avoid paying any Part of the said Tolls or Duties, or shall leave, or cause to be left, or put in any House or Place upon or near the said Road, any Horse or other Cattle, Coach or other Carriage, Goods or Merchandise, with an Intent to avoid paying any of the said Tolls or Duties, every Person so offending, in any of the Cases aforesaid, shall forfeit the Sum of *Twenty Shillings*

Power to erect Side-gates.

And be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any *Two* or more of them, to erect, or cause to be erected, One or more Gate or Gates, Turnpike or Turnpikes, on the Sides of the said Road, and at the End of or cross any Lane or Way, leading into or out of the same; and there to receive such Tolls as are appointed by this Act to be taken, so as the same do not extend to a double Charge upon any Persons passing through any one of the Turnpikes erected by virtue of this Act.

Gates not to be removed but by Order.

and

Provided also, and be it further Enacted, by the Authority aforesaid, That no Gate or Turnpike, to be erected or set up by virtue of this Act, shall, at any Time after the same shall be so set up, be taken down or removed to any other Place, except by Order of the said Trustees, or any *Two* or more of them, unless *fourteen* Days Notice shall be given, in Writing, by the Clerk or Clerks to the Trustees, under his or their Hand or Hands, to be affixed on all the Turnpikes to be erected by virtue of this Act; any thing in this Act contained to the contrary notwithstanding.

No Toll to be paid by Persons going to, or returning from, County Elections.

Provided also, and it is hereby Enacted, That no Toll shall be taken for any Coach or other Carriage, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Lancaster*, on the Day or Days of such Election.

And

And be it further Enacted, by the Authority aforesaid, That the Right and Property of all the Gates, Turnpikes, and Toll-houses, which shall be erected by virtue of this Act, and of the Materials for building the same, and for repairing the said Road, shall be vested in the Trustees, appointed or to be appointed by or in pursuance of this Act: And they, or any ~~seven~~ or more of them are hereby impowered to bring Actions in the Names of any ~~one~~ or more of them, or in the Name or Names of their Clerk or Treasurer, for the Time being, or to prefer Bills of Indictment against any Person or Persons who shall take away the same, or disturb the said Trustees in the Possession of the Property thereof. The Property in the Gates, &c. vested in the Trustees.

And be it further Enacted, by the Authority aforesaid, That the said Trustees, or any ~~three~~ or more of them, shall and may, and they are hereby authorized and impowered, to choose a Clerk, Treasurer, Collector or Collectors of the Tolls or Duties aforesaid, and also a Surveyor or Surveyors, to view the Condition of, and to direct and inspect the repairing and maintaining, the same Road: And also shall and may, from time to time, remove any Clerk, Treasurer, Collector, or Surveyor, as they shall see Occasion, and appoint new ones, in Cases of Death, or such Removal. Trustees to appoint Officers.

And it is hereby further Enacted, That the said Tolls or Duties shall be paid, after the Rates aforesaid, to such Persons as shall be so, from time to time, appointed to receive the same; and the Persons so appointed to receive the said Tolls or Duties, and all such Surveyors, and all Persons any-wise employed by or under them, or any of them, shall, upon Oath (if thereunto required by the said Trustees, or any ~~five~~ or more of them, which Oath any ~~three~~ of such Trustees are hereby impowered to administer), ~~one~~ in every Month, or oftener, if the said Trustees, or any ~~five~~ or more of them, shall so require, upon 5 days Notice, give in a true, exact, and perfect Account, in Writing under their respective Hand or Hands, to the said Trustees, or any ~~five~~ or more of them, of all Monies which such Persons shall to such time respectively have received and disbursed by virtue of this Act, or by reason of their respective Offices (for the administering which Oath no Fee-money or Reward shall be taken): And in case any Money so received shall remain in the Hands of such respective Persons, or any of them, the same shall be paid to the said Trustees, or ~~five~~ any of them, or to such Person or Persons as they, or any ~~five~~ or more of them, shall impower to receive the same, and shall be laid out and applied for the Purposes, and according to the true Meaning of this Act: And the said Trustees, or any ~~seven~~ or more of them, to whom such Account shall be given, shall and may, out of the said Tolls or Duties, make such Allowance to the said Collectors, Surveyors, and other Officers, for their Care and Pains respectively taken in the Execution of their said respective Offices, and to such other Persons as shall be assisting in and about procuring the said Road to be amended, as to the said Trustees, or any ~~seven~~ or more of them, shall seem reasonable: And in case such Collectors, Surveyors, or other Persons, or any of them, shall not give in such Account, and make such Payment, as aforesaid, then the said Trustees, or any ~~five~~ or more of them, or any ~~Two~~ or more of the Justices of the Peace

Peace of the said County of *Lancaster*, shall and may make Enquiry concerning such Default, in a summary Way, as well by Confession of the Parties themselves, as by the Testimony of One or more credible Witnesses or Witnesses, upon Oath (which Oath the said Trustees, or any *five* or more of them, or the said Justices, are hereby impowered and required to administer, without any Fee or Reward): And if such Person shall be thereof convicted by the said Trustees, or any *five* or more of them, or by such Justices, they shall, upon such Conviction, *Commit* the Party or Parties to the *Common Goal of the said County* there to remain, without Bail or Mainprize, until he, she, or they, shall have made a perfect Account, and Payment, as aforesaid, or until he, she, or they, shall have compounded and agreed with such Trustees, and have paid such Composition to the said Treasurer or Treasurers, for the Time being, which Composition the said Trustees, or any *seven* or more of them, at any Meeting assembled, are hereby authorized and impowered to make.

And take Security.

And be it further Enacted, by the Authority aforesaid, That the said Trustees, or any *five* or more of them, are hereby required to take such Security from the Treasurer or Treasurers to be appointed for the Purpose of this Act, for the due Execution of his said Office, as to the said Trustees or any *seven* or more of them, shall seem meet.

Surveyors have Power to get Materials.

And be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors, so to be appointed aforesaid, and such Person or Persons as he or they respectively shall appoint for that Purpose, to dig, gather, and carry away, any Gravel, Chalk, Furze, Heath, Sand, Stones, or any other Materials, for repairing the said Road out of any River or Brook, or out of any Waste or Common Grounds, in any Parish, Town, Village, or Hamlet, wherein or near which the said Road doth lie; and, for want of a sufficient Quantity of such Materials there to be found, such Surveyor or Surveyors, or such Person or Persons so appointed by him or them, shall and may dig, gather, and take away the same, out of any River or Brook, or out of or from any Waste or Common Ground in any neighbouring Parish, Town, or Hamlet, without paying any thing for such Materials: And, if there are not sufficient Quantities of such Materials to be had and gotten within *500* Yards of that Part of the Road where the same shall be wanted, for the Purpose of repairing the same, that then it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, to dig, gather, and take away, such Materials in, upon, and out of, the several Grounds of any Person or Persons (not being a Garden, Orchard, Yard, Nursery, or planted Walk or Walks, or Avenue to an House) paying such Rates for such Materials to the Owners or Occupiers of the Grounds as the said Trustees, or any *seven* or more of them, shall adjudge reasonable. And, in case of any Difference concerning the same, the Justices of the Peace, at their next General or Quarter-Sessions to be holden for the said County of *Lancaster*, shall and may adjudge, and finally determine the same, from which Determination there shall be no Appeal.

And be it further Enacted, by the Authority aforesaid, That it shall And to re-
 and may be lawful to and for the said Surveyor or Surveyors, and such move Nu-
 Persons as he or they shall appoint, from time to time, to remove and pre-
 vent all Annoyances on, or adjoining to, any Part of the Road aforesaid,
 by Filth, Dung, Ashes, Rubbish, Stones, Timber, or otherwise; and to
 turn any Watercourses, Sinks, or Drains, running into, along, or out of,
 the said Road, or otherwise to the Prejudice thereof; and to open, scour,
 or cleanse, any Watercourses or Ditches adjoining to the said Road, and
 make the same as deep and as large as he or they shall think proper and ne-
 cessary; and to cut down, lop, or top, any Trees or Bushes (Timber-trees
 excepted) growing in the said Road, or in the Hedges or Banks adjacent
 thereto, and to take and carry away such Trees, Bushes, Loppings, and
 Toppings respectively, in case the Owners or Occupiers of the Premises
 shall neglect to cut down and carry away the same; or to open, scour, or
 cleanse, such Watercourses or Ditches, or to remove such other Annoy-
 ances, for the Space of *six* Days after Notice, in Writing, given for that
 Purpose, under the Hand or Hands of the Surveyor or Surveyors, or of the
 said Trustees, or any *two* or more of them, the Charges whereof (to be
 settled by the said Trustees, or any *seven* or more of them) shall be reim-
 bursed to the said Surveyor or Surveyors, by such Owners or Occupiers so
 neglecting to cut down and carry away such Trees or Bushes, or to remove
 such other Annoyances, as aforesaid, to be recovered and levied in such
 Manner as the several Penalties are herein-after directed to be recovered and
 levied; and if, after Removal of any of the said Annoyances, any Person
 shall again offend in the like Kind, every such Person shall, for every such
 Offence, forfeit and pay to the said Trustees the Sum of *10*.

And be it further Enacted, by the Authority aforesaid, That it shall And make
 and may be lawful to and for the said Surveyor or Surveyors, or such Causeways
 Persons as he and they shall appoint, by Order of the said Trustees, or and Drains.
 any *four* or more of them, to make, or cause to be made, Causeways, and
 also Ditches and Drains, in and upon the said Road, to erect Bridges or
 Arches upon the Road, and also to widen any of the narrow Parts of the And widen
 said Roads, by opening, clearing, or laying into the said Road, any Grounds the Road.
 of any Person or Persons lying contiguous to the same (not being the
 Ground whereon any House or Houses stand, or a Garden, Orchard, Yard,
 planted Walk, or Avenue to any House), so as such Parts of the said Road
 do not exceed in Width *Twenty four* Feet; and also to make, or cause to be
 made, a Road through the adjoining Grounds of any narrow or ruinous
 Part of the said Road, to be made use of by all Passengers, with Cattle,
 Coaches, Carriages, or otherwise, as a publick Highway, whilst the old
 narrow or ruinous Road is repairing or widening, and till it shall be con-
 venient and safe for Passengers and Carriages to travel and go along the said
 Road intended to be repaired, making such Satisfaction to the Owners or Oc-
 cupiers of such Ground respectively which shall be so laid into the said Road,
 or through which any such temporary Road shall be made, for the Damages
 such Owners or Occupiers respectively shall or may thereby sustain, as shall
 be adjudged reasonable by the said Trustees, or any *seven* or more of them:
 And

And in case of any Difference concerning the same, between such Owners or Occupiers and the said Trustees, that then it shall and may be lawful to and for the Justices of the Peace, or the major Part of them, assembled at the next General Quarter-Sessions for the said County of *Lancaster*, to settle, adjudge, and finally determine, what Recompence shall be made to such Owners and Occupiers for the Damage they shall have sustained, as aforesaid.

Power to
change the
Road.

Elw...
And, in case the said Trustees, or any ~~Trustees~~ or more of them, shall think proper to turn or alter the Course of any Part of the said Road, **is hereby further Enacted**, That the said Trustees, or any ~~Trustees~~ or more of them, shall have full Power, from time to time, to contract with any Owners or Occupiers of, and Persons interested in, any Lands or Hereditaments, for the Purchase thereof, or for the Damage such Person or Persons may sustain, by the turning or altering of any Part of such Road; and out of the said Tolls arising by virtue of this Act, or the Money borrowed on the Credit thereof, to pay for such Grounds or Hereditaments, or for such Damage as aforesaid; and also that it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, and other Trustees and all other Persons whomsoever, to contract and agree with such Trustees for such Purchase or Recompence as aforesaid; and all Contracts, Agreements, and Conveyances, which shall be so made, shall be valid and effectual to all Intents and Purposes whatsoever; and all such Persons are and shall be hereby indemnified for what they shall do by virtue, or in pursuance of this Act; and such Grounds and Hereditaments, over which the said Roads shall be so turned, shall be deemed a publick Highway, and be from thenceforth Part of the said Road for ever after; and the Grounds constituting the former Road shall be vested in and sold by the Trustees, any ~~seven~~ or more of them, for the best Price that can be got for the same, and the Money arising thereby shall be applied in the repairing the said Road; and the Sale and Conveyance of such Grounds being executed by any ~~five~~ or more of the Trustees, shall be good and effectual in Law to all Intents and Purposes whatsoever.

Proprietors,
neglecting or
refusing to
treat, may
be compelled.

And be it further Enacted, by the Authority aforesaid, That if any such Owner, Proprietor, Occupier, Bodies Politick, Corporate, or Collegiate, Aggregate or Sole, or any other Person or Persons, interested in Lands, Grounds, or Hereditaments, upon Notice to them given or left in Writing at the Dwelling-house or Dwelling-houses, or Place or Places of Abode, of such Person or Persons, or of the Head-Officer or Officers of such Body Politick, Corporate, or Collegiate, Aggregate or Sole, or at the House of the Tenant in Possession of the Lands, Grounds, or Hereditaments, for the purchase thereof, shall, by the Space of *Twenty* Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or, by reason of Absence, shall be prevented from treating, then, and in every or any such Case, the said Trustees, or their Successors, or any ~~sixteen~~ or more of them, shall, at the joint and equal Expense

Expence of the said Trustees, and the Party or Parties so refusing, or being Jury to settle
 absent, cause it to be enquired into and ascertained, by and upon the Oaths Recompence:
 of a Jury of Twelve indifferent Men, of the County in which such
 Lands, so to be purchased, shall lie (which Oath any ~~Seven~~ or more
 of such Trustees, or any ~~Two~~ or more Justices of the Peace for the
 said County where the said Lands do lie, are hereby impowered and re-
 quired to administer), what Damages will be sustained by, and what Re-
 compence and Satisfaction shall be made to, such Owners, Occupiers, or
 Proprietors, or other Person or Persons interested for or upon the account
 of the taking of such Lands, Grounds, or Hereditaments; and, in order
 thereto, and for other the Purposes of this Act, the said Trustees, or any
~~Seven~~ or more of them, are hereby impowered and required, from time Trustees to
 to time, on this and all other Occasions, when and as often as it shall or examine Wit-
 may be needful, necessary, or convenient, so to do, to summon and call nesses on Oath
 before the said Jury, or before themselves, and examine, upon Oath, all concerning
 and every Person and Persons whatsoever, who shall be thought necessary the Premises.
 or proper to be examined as a Witness or Witnesses, touching or concerning
 the Premises, or any other Matter or Thing, regarding this Act (which
 Oath any ~~Seven~~ or more of such Trustees, or ~~Two~~ or more
 Justices of the Peace, are hereby impowered and directed to administer);
 and they shall also order and call the said Jury to view the said Places in
 Question, if there be Occasion, and use all other lawful Ways and Means,
 as well for their own as for the said Jury's better Information of the Premises,
 as they the said Trustees, or any ~~Seven~~ or more of them, shall think fit;
 and after the said Jury shall have so enquired of, ascertained, and settled,
 such Damage and Recompence, they the said Trustees, or any ~~Seven~~ or
 more of them, shall thereupon order, adjudge, and determine, the Sum or
 Sums of Money, so assessed by the said Jury, to be paid out of the said
 Tolls or Money borrowed, to the Owners or Proprietors of, or other Per-
 sons interested in, the said Lands, Grounds, or Hereditaments, according
 to such Verdict or Inquisition of the said Jury; which said Verdict or In- Verdict of the
 quisation and Judgment, Order or Determination, so had and made, shall Jury to be
 be binding, final, and conclusive, to all Intents and Purposes, against all conclusive to
 all Parties and Persons whomsoever, claiming in Possession, Reversion, Re- all Parties.
 mainder, Expectancy, or otherwise, their Heirs and Successors, as well ab-
 sent as present, Infants, Females-covert, and Persons under any Disability
 whatsoever, Bodies Politick, Corporate, or Collegiate, Aggregate or Sole,
 as well as all other Person or Persons whomsoever; and all and every such
 Owners, Occupiers, and Proprietors, and all and every Person and Persons,
 any-wise interested in such Lands, Grounds, or Hereditaments, shall thereby
 be, from thenceforth, to all Intents and Purposes, excluded and divested of
 all Right, Title, Claim, Interest, and Property, of, in, to, or out of, the
 same.

And be it further Enacted, by the Authority aforesaid, That, for the Trustees to
 summoning and returning such Jury or Juries, the said Trustees, or any issue their
~~Seven~~ or more of them, are hereby impowered to issue out their Warrant Warrants to
 the Sheriff of the said County where the said Lands shall re- the Sheriff to
 spectively summon a Ju-
 ry.

spectively lie, thereby commanding him to impanel, summon, and return an indifferent Jury of ~~Twentyfour~~ Persons, to appear before the said Trustees or any ~~Seven~~ or more of them, at such Time and Place, as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies is and are hereby required to impanel, summon, and return ~~Twentyfour~~ such Persons as aforesaid; and out of the Persons so impanelled and returned, or out of such of them as shall appear, according to or upon such Summons, the said Trustees, or any ~~Seven~~ or more of them, shall swear or cause to be sworn, ~~Twelve~~ Men, who shall be the Jury for the Purpose aforesaid; and for Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured, to attend the Service, to the Number of ~~Twelve~~

Jurors may
be challenged.

Trustees may
levy Fines on
the said Sher-
riff, and
others, make-
ing Default
in the Pre-
mises.

Provided always, and be it further Enacted, by the Authority aforesaid, That all Persons concerned shall have their lawful Challenges, from time to time, against any of the said Jurymen, when they come to be sworn; and that the said Trustees, or any ~~Seven~~ or more of them, acting in the Premises, shall have Power, from time to time, to impose any reasonable Fine or Fines on such Sheriff or Sheriffs, his Deputy or Deputies, Bailiffs, Agents, making Default in the Premises, and on any of the Persons that shall be summoned and returned on such Jury, not appearing, or refusing to be sworn on the said Jury, or, being so sworn, refusing, and not giving the Verdict concerning the same, or in any other manner wilfully neglecting their Duties therein, contrary to the true Intent and Meaning of this present Act; and if any Person or Persons, who being required to give Evidence before the said Jury, touching the Premises, shall refuse to be examined, to give Evidence touching the same, the said Trustees, or any ~~Seven~~ or more of them, shall and may impose such Fine or Fines, and levy the same in such manner as any Fine is, by this present Act, directed to be levied, so as no such Fine exceed the Sum of ~~Five~~ Pounds on any One Person.

Power to bor-
row Money.

And be it further Enacted, by the Authority aforesaid, That the said Trustees, or any ~~Nine~~ or more of them, shall and may, and they are hereby authorized and impowered, from time to time, by any Writing Instrument, under their Hands and Seals, without any Stamp to be impressed thereon, to assign over or mortgage the said Tolls or Duties, or any Part thereof (the Costs and Charges of such Assignment or Mortgage to be borne and paid out of the Tolls and Duties), for any Time or Term for which the same are hereby made payable, or any Part of such Time or Term, a Security for any Sum or Sums of Money, so to be borrowed by the said Trustees for that Purpose, unto such Person or Persons, or his or their Trustees, as shall advance and lend such Money; and for securing the Repayment thereof, by and out of the Money arising or to be collected by the said Tolls or Duties, with such Interest for the same, as the said Trustees or any ~~Nine~~ or more of them, shall think fit, and agree to give; which said Money, so borrowed, shall (after paying the Expences of obtaining the same) be

Indorsing

present Act) be applied and disposed of as the said Tolls and Duties are to be applied and disposed of by virtue hereof, and to no other Use or Purpose whatsoever; and that all and every the Mortgage and Mortgages, Assign-^{Mortgages}ment and Assignments, so to be made by the said Trustees, for securing^{and Assign-} such Sum or Sums of Money, shall be entered at Length, in a Book to be^{ments to be} kept for that Purpose, by the said Clerk or Clerks, Treasurer or Treasurers; ^{entered in a} Book. which said Book shall and may be perused at all seasonable Times, by any Person or Persons whomsoever, without Fee or Reward; but that no Money shall be borrowed by the said Trustees, upon the Credit of the said Tolls, unless ~~fourteen~~ ^{fourteen} Days Notice of their Intention to borrow such Money, be given by Writing, to be affixed on all the Turnpikes erected by virtue of this Act.

And it is also further Enacted, by the Authority aforesaid, That Securities may all and every Person and Persons to whom any such Mortgage or Mort-^{be assigned.}gages, Assignment or Assignments, shall be made, or who shall be intitled to the Money thereby secured, shall and may, from time to time, by Words of Assignment to be indorsed on his, her, or their Security or Securities, or by any Deed or Writing under his, her, or their Hand and Seal, or Hands and Seals, to be duly executed in the Presence of ~~Two~~ or more credible Witnesses, assign or transfer such Security or Securities, and all Benefit and Advantage thereof, and all his, her, and their Right, Title, and Interest to the Principal and Interest Money thereby secured, or any Part thereof, to any other Person or Persons whomsoever; which Assignment shall be produced or notified to the said Clerk or Treasurer within ~~Ten~~ Days after the Date thereof, who shall cause an Entry to be made of such Assignment, containing the Dates, Parties, and Sums of Money therein mentioned to be transferred, in the Book for entering of the said original Assignments, for which Entry the Sum of ~~Five~~ ^{Five} Shillings shall be paid, and no more; and, after such Entry made, such Assignment shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign the same again, and so *toties quoties*: And it shall not be in the Power of such Person or Persons who shall take such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof, or do any Act to the Prejudice of his, her, or their Assignee or Assignees, or any subsequent Assignee or Assignees.

Provided always, and it is hereby further Enacted, That no Per-^{Tolls to be}son having Occasion to pass through any Gate or Turnpike to be erected^{paid but once} by virtue of this Act, who shall return the same Day before ~~Twelve~~ ^{Twelve} of a Day. the Clock at Night with the same Horse, Cattle, or Carriage, and shall produce a Note or Ticket that the Toll or Duty was paid at such Gate or Turnpike (which Note or Ticket the said Collector or Collectors is and are hereby required to give *gratis* on Receipt of the Toll) shall be liable to pay the said Toll or Duty any more than once at the said Gate or Turnpike.

And

Penalty on
Persons dis-
posing of
Tickets, or re-
ceiving them.

And be it further Enacted, by the Authority aforesaid, That if any Person or Persons having paid any of the said Tolls or Duties by this Act granted, and having such Note or Ticket, Notes or Tickets, shall offer or dispose of the same to any Person or Persons, in order to avoid the Payment of the said Tolls or Duties, every such Person so offering or disposing of such Note or Ticket, Notes or Tickets, and the Person receiving and making use of the same, shall respectively forfeit the Sum of *Twenty Shillings* whereof *Ten Shillings* shall go to the Informer, and *the residue thereof* shall be applied towards the repairing of the said Road.

Gravel, Corn,
Fodder, &c.
exempted.

Provided always, and it is hereby Enacted, by the Authority aforesaid, That no Tolls or Duties shall be demanded or taken for any Cattle or Carriages laden with Gravel, Stones, Sand, or other Materials for repairing the said Road, or any Road in any of the Townships in which the same do lie, or in any of the next adjoining Townships, or any Lime, Dung, Mould Soil, Marle, or Compost for manuring the Ground within the same Parish or within any Parish adjoining to the said Road, or laden with Grass, Hay, Saintfoin, Fother, Straw, or Corn in the Straw, to be laid up in the Houses, Barns, Outhouses, or to be set up or stacked up on any Part of the Land or Premises of the respective Inhabitants, Land-owners, or Land-holders, for their own private Use and Consumption, in the several Townships in which any of the said Gates or Turnpikes shall be erected, or through which the said Road leads, or for any Ploughs, Harrows, or other Implements of Husbandry to be used for the tilling or improving of any Lands in any of the Townships in which such Gates or Turnpikes shall be erected, or through which the said Road leads; nor for any Horse or Horses, or other Cattle, going to or returning from Water, or Pasture, or Plough, or Tillage, or any other Work in Husbandry, upon or in any of the Lands within such said several Townships; nor for any Cattle or Carriages going empty for, or returning laden with, Coal, Turf, or other Fuel, nor with Materials for Buildings or Fences to be used by any Person inhabiting within the Township where any Turnpike-gate shall be erected or fixed by virtue of this Act; nor for any Horses, Mares, or Geldings, carrying or drawing any of the Inhabitants of any Township through which the said Road lies, to or from his, her, or their Parish Church, or other usual Place of religious Worship; nor for any Hearse, or Horses, Mares, or Geldings, drawing the same, or carrying any Person or Persons attending the Funeral of any such Inhabitant; or drawing or carrying the Corn or Grist of any such Inhabitant to or from any Mill there to be ground for his, her, or their own Consumption; nor for Cloth or Woollen Stuff carrying to, or returning from, any Fulling-Mill; nor for any Post-horse carrying the Mail or Packet, or Horses of any Soldiers passing, who are upon their March, or for Horses or Carriages belonging to and passing with them, or carrying their Baggage.

Power to
make further
Charge.

Provided also, and it is hereby further Enacted and Declared, That from and after the *Twenty fifth Day of March* — which will be in the Year of our Lord One thousand Seven hundred and Fifty-*Seven* it shall and may be lawful to and for the said Trustees, or any *Trustee*

more of them, in case it shall seem requisite and expedient so to do, to demand and receive such Tolls upon all Carriages, and all Horses, Mares, Geldings, Mules, Asses, or Beasts of Burthen, going for or returning laden with Lime, or any other Materials for building, and travelling upon the said Road, and passing through any Turnpike-Gate or Gates to be erected by virtue of this Act, as are herein before appointed to be received and taken from any Carriages, Horses, Mares, Geldings, Mules, Asses, or other Beasts of Burthen, so travelling upon the said Road, laden with any Goods, Merchandizes, or Commodities whatsoever, or such Part of such Tolls as them shall seem reasonable and meet.

Provided also, and it is hereby Enacted, That all Persons who, ^{Persons liable to do Statute-work, or to repair ratione tenuræ, &c. to continue so.} by Law, are obliged to do Statute-work, or chargeable towards amending the said Road, or are liable and chargeable to amend the same, either by reason of the Tenure of his, her, or their Lands, or by Custom, Compact, or any other Agreement, shall still remain liable and chargeable, and their respective Works in the Townships in which the said Road doth lie, in such Manner as such Persons ought to have done before the Passing of this Act.

And be it further Enacted, by the Authority aforesaid, That it shall ^{Power to} be lawful for the said Trustees, or any ~~Seven~~ or more of them, or ^{summon People obliged to do such work.} the Surveyor or Surveyors of the said Road, and they are hereby authorized to require, by Writing of the Surveyor or Surveyors of the Highways for the respective Townships wherein any Part of the said Road lies; and in case no Surveyor or Surveyors is or are appointed for such Township or Townships, then of the Churchwardens or Overseers of the Poor of such Townships, to bring, in Writing, before such Trustees, or their Surveyor or Surveyors, within ~~Seven~~ Days after such Request made, as aforesaid, a List of the Names of the several Persons who, within each Township respectively, are obliged or compellable, by Law, to repair, or assist in, or contribute towards, repairing the said Road, or any Part thereof, in respect of any of the Causes before-mentioned, therein specifying the respective Duties of such Persons; out of which List the said Trustees, or any ~~Seven~~ or more of them, or the said Surveyor or Surveyors, shall and may, by Writing, under his or their Hand or Hands, appoint and order the Persons liable to do such and so much thereof, at such Times, and in such Manner, on the Road directed to be repaired by this Act, as the said Trustees, or any ~~Seven~~ or more of them, or their Surveyor or Surveyors, shall, from time to time, direct and appoint, giving ~~Ten~~ Days previous Notice, in Writing, to the Township Surveyor or Surveyors, Churchwardens, or Overseers (and which he or they are required to make known to such Inhabitant or Inhabitants): And if any Person shall refuse ^{Penalty on Persons refusing.} or neglect to do such Work at the Time and in Manner for such Purpose to be so as aforesaid appointed, every such Person, for every Day he, she, or they shall make Default in performing his, her, or their Statute-work, shall forfeit the Sum of *one Shilling* for each Team or Draught, and every Householder, and other Person, liable to send a Labourer, shall forfeit and pay

2 if the Common or better

Negligent
Persons to be
turned off.

pay the Sum of *six pence* for each Default, over and above such Penalties as they are respectively now by Law subject to for neglecting to do Statute-work; and that every other Person or Persons liable to repair or amend any Part of the said Road, for or by means of any other the Causes before-mentioned, shall forfeit the Sum of *Two Shillings* for every *ten* Yards of such Road, and so in proportion for any greater or lesser Quantity as he, she, or they shall neglect to repair or amend, for the Space of *seven* Days next after such Notice given to him, her, or them respectively as aforesaid: And in case any of the said Township Surveyors, Churchwardens or Overseers of the Poor, shall refuse or neglect to, give in such List as aforesaid, or shall refuse or neglect to give Notice, agreeable to the Direction or Notice he shall have received from the Turnpike-Surveyors, to the respective Inhabitants, as aforesaid, then every such Township-Surveyor, Churchwarden, or Overseer, shall, for every such Neglect or Refusal, forfeit the Sum of *five pounds*. — And if any Person or Persons who shall (according to such Summons or publick Notice as aforesaid) come to work as Labourers, or be sent with any Team, Draught, or Cart, to work on the said Roads, are found idle and negligent by the said Turnpike-Surveyor or Surveyors respectively where the Work is to be done, in Case the said Turnpike Surveyor or Surveyors may, and is and are hereby empowered and required to remove and turn off such Person or Persons, shall be found idle or negligent, as aforesaid; and it shall be esteemed and taken as if such Person or Persons had not come as a Labourer, or had not come with or sent any Team, Draught, or Cart, to work on the said Roads, and he, she, or they shall be subject and liable to do their respective Work, so ordered and appointed, as aforesaid.

Township
Surveyors
have Power
to compound.

Provided always, and be it Enacted, by the Authority aforesaid, That it shall and may be lawful for the Surveyor or Surveyors of the Highways of any of the said Townships (by and with the Consent of the Inhabitants of such Township first had at any Vestry or other publick Meeting of such Inhabitants) to compound and agree, by the Year, or otherwise with the Trustees, or any *seven* or more of them, for or in lieu of the Statute or other Work to be performed by the Inhabitants of any of the said Townships, or any of them, upon any Part of the said Road, in respect of any of the Causes herein before-mentioned; and if such or any future Surveyor or Surveyors shall pay such Composition-money, or the same shall be *levied* on him or them, he or they shall be reimbursed the Monies so paid, or *levied* on him or them, in such manner as the Surveyor or Surveyors of the Highways are by the Laws now in being to be reimbursed the Monies by them expended in buying Materials for repairing the Highways: And in case such Composition-money shall not be paid to the said Trustees, or any *five* or more of them, or to such Person or Persons they shall appoint to receive the same, within *Ten Days* after the same shall be demanded, it shall and may be lawful to and for any one or more of the Justice or Justices of the Peace for the said County (upon Oath made before him or them of such Default); and he and they shall be hereby required to issue a Warrant, under his Hand and Seal, or under the

their Hands and Seals, empowering such Person so by the said Trustees, or any ~~five~~ or more of them, appointed to receive such Composition-money, to ~~levy~~ the same by ~~Distress~~ of the Goods and Chattels of the Surveyor or Surveyors of the Highways, for the Time being, of the said Parish or Parishes respectively; and such Goods and Chattels so ~~Distressed~~ after the Space of ~~five~~ Days (such Composition-money, and the reasonable Charges of ~~Distressing~~ and keeping the same, not being paid), to sell, returning the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after the said Composition-money, and the reasonable Charges of ~~Distress and Sale~~ shall be deducted and paid; which Composition-mones shall be applied towards amending the said Road, and to no other Use or Purpose whatsoever.

And be it further Enacted, by the Authority aforesaid, That the said Trustees, or any ~~seven~~ or more of them, may, and they are hereby im-^{Power to compound with Passengers.} powered, from time to time, as they shall see convenient, or think fit, to compound or agree, by the Year, or otherwise, with any Person or Persons, using, travelling, or passing through, the Turnpike or Turnpikes to be erected on the said Road, who are lyable to pay any of the Duties hereinbefore imposed, for any Sum or Sums of Money, to be paid Quarterly, from time to time, after such Agreement shall be made.

And be it further Enacted, by the Authority aforesaid, That no Persons sell-^{ing spirituous Liquors dis-abled.} Person or Persons, who shall sell Wine, Ale, Brandy, or other spirituous Liquors, shall be capable of holding or enjoying any Place or Places of Trust or Profit by virtue of this Act.

And be it Enacted, by the Authority aforesaid, That all Penalties and ^{Penalties how to be and applied.} Forfeitures, by this Act imposed, the manner of levying and recovering whereof are not otherwise particularly directed, shall be levied and recovered by ~~Distress and Sale~~ of the Offenders Goods and Chattels, by Warrant under the Hands and Seals of the said Trustees, or any ~~seven~~ or more of them, or of ~~two~~ or more Justices of the Peace for the said County; which Warrants the said Trustees, or any ~~seven~~ or more of them, or the said Justices, are hereby empowered and required to grant, upon the Information of One or more credible Witness or Witnesses, upon Oath (which Oath the said Trustees, or any ~~seven~~ or more of them, or the said Justices, are hereby empowered and required to administer); and the Penalties, when recovered, after rendering the Overplus (if any be) when demanded, to the Party or Parties whose Goods and Chattels shall be so ~~Distressed~~ and sold (the Charge of such ~~Distress and Sale~~ being first deducted), shall be paid to the Trustees, or any ~~seven~~ or more of them, or to their Treasurer or Treasurers; and shall by them respectively be applied (if not otherwise directed to be applied by this Act) for and towards amending of the said Road.

Provided always, and be it further Enacted, by the Authority ^{Persons ag- grieved may appeal to the Quarter- Sessions.} aforesaid, That in case any Person or Persons shall think him, her, or themselves aggrieved by any thing done in pursuance of this Act, and for which

which no particular Remedy or Method of Relief hath been already hereby directed and appointed, it shall and may be lawful to and for him, her, or them, to appeal to the Justices of the Peace, at their next General Quarter-Session of the Peace to be held for the said County wherein the Cause of Complaint shall arise; or in case the said Cause of Complaint shall arise within *fifteen* Days next before such General Quarter-Sessions of the Peace, then such Appeal may be to the said Justices, at the Second General Quarter Sessions of the Peace to be held for the said County, who are hereby authorized and required to take Cognizance thereof, and to hear and determine the Complaint or Complaints of any Person or Persons so aggrieved; and, if they see Cause, shall and may, by Order of such Sessions, mitigate, at their Discretion, all or any of the Penalties and Forfeitures laid and incurred by the Party or Parties complaining, or vacate or set aside the Conviction or Convictions, and set the Parties at Liberty, or otherwise may ratify and confirm the same, with such Costs, as to them, in their Discretion, shall seem reasonable; and to *levy* — by their Order or Warrant, such Costs, so awarded, by *Dishorse Sale* of the Goods and Chattels of any Person or Persons who shall refuse to obey the same; and, for want of sufficient *Dishorse* *to commit the party to the common goal of the said County* — wherein such Cause of Complaint shall arise, for any Time not exceeding *three* Months, or until Payment of such Costs shall be made; but the Person or Persons, so appealing as aforesaid, shall, and are hereby directed to give Notice in Writing to the Treasurer or Treasurers, for the Time being, of the Tolls and Duties granted by this Act, where the Offence was committed, of such their Intention of bringing or prosecuting any Appeal *fifteen* Days before the said Quarter-Session; and shall, within *five* Days after such Notice given, enter into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, with Condition to try such Appeal at the Quarter-Sessions of the Peace, which shall be held for the said County next and immediately after bringing such Appeal; and also in case such Appeal shall be disallowed, to pay such Costs and Charges as the said Justices shall direct in that behalf; and every such Appeal shall, at the then next General Quarter-Sessions, be heard and finally determined.

Certiorari
how and
when grant-
able.

Provided also, and be it further Enacted, by the Authority aforesaid, That no Proceedings to be had, touching the conviction of any Offenders against this Act, shall be quashed or vacated for want of Form, or be removeable by *Certiorari*, or any other Process, into any of his Majesty's Courts of Record at *Westminster*, until such Proceedings shall have been first removed to, and Judgment and Determination given and made thereupon, by such General or Quarter Sessions of the Peace; and that no Writ of *Certiorari* shall be issuable to remove the Record of any such Conviction from the said General Quarter-Sessions; or to remove any other Proceedings of the said General or Quarter-Sessions, touching such Conviction, into any of his Majesty's Courts of Record at *Westminster*, until Security be given, by the Parties applying to remove the same, in the Sum of *£20* to prosecute and pay the Charges to be ascertained by the Court,

to which such Proceedings shall be removed, in case such Conviction shall be confirmed.

And be it further Enacted, by the Authority aforesaid, That this Continuance of the Act, and all the Powers hereby given, shall take Place, and have Continuance, only from and after *the first day of June 1755* — for and during the Term of ~~Three Years~~ but if at any Time before the Expiration of the said Term, the said Road shall be sufficiently repaired, and all Money due and owing on Account of this present Act be repaid, the aforesaid Tolls or Duties, and Powers hereby granted and given, shall, from thenceforth, cease and determine; any thing herein contained to the contrary notwithstanding. *+ And that the next*

+ And from thence
the End of the 1st
next Session of Pa

And be it further Enacted, by the Authority aforesaid, That when, and as often as, any Trustee or Trustees shall die, or refuse to act, it shall and may be lawful for the surviving Trustees, or any *hins* or more of them, from time to time, to elect and appoint One or more fit Person or Persons, living within the said County Palatine of *Lancaster*,⁺ in the room of such Trustee or Trustees so deceased, or refusing to act; but Notice, in Writing, of the Time and Place of Meeting for the Election of all such new Trustees, shall be fixed on the Turnpikes to be erected by virtue of this Act, at least *Ten* Days before the Meeting for such Election: And all such Persons as shall, from time to time, be so chosen and appointed, shall be joined with such surviving Trustees; and they are hereby impowered to act, to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees hereby appointed are impowered to act.

Vacancies how to be supplied.

And be it further Enacted, by the Authority aforesaid, That the Trustees hereby appointed, or any *nine* or more of them, shall meet together at the House, known by the Sign of *The Red Buck* — in the Town of *Rochdale* — in the said County of *Lancaster*, upon the *24th* Day of *May* — in the Year of our Lord *one thousand seven hundred and fifty five* — and adjourn themselves, and afterwards meet there, or at any other Place near the said Road, as the said Trustees, or any *five* — or more of them, shall think most convenient, when, and so often as, it shall be necessary for putting this Act in Execution: And if it shall happen that there shall not appear at any Meeting a sufficient Number of Trustees then and there to act, the Clerk to the said Trustees shall, by publick Notice, in Writing, to be fixed on all the Turnpikes, at least *six* — Days before the next Meeting, appoint the said Trustees to meet at the House where the last Meeting was appointed to be held on the *Tuesday* Fortnight, next after the Day on which such Meeting was appointed to be held; and that the Trustees, at all their Meetings, shall defray their own Expences,

Trustees
when and
where to
meet.

Proibed nevertheless, and be it Enacted, That no Person shall be ^{Qualification} capable of acting as a Trustee, in the Execution of this Act, who is not ^{of Trustees.} in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment, or Receipt, of the Rents and Profits of Lands, Tenements,

shall be. *His Apparent*
Person or persons
an Estate of the party
£300.

Household Leasehold or Copyhold or Customary Freehold
 ments, or Hereditaments, of the yearly Value of ~~£50~~ *100* above
 Reprizes; or is in Possession of, and intituled to, a personal Estate alone,
 or a real and personal Estate together, to the Amount of ~~£2000~~
 and if any Person, so made incapable, shall presume to act, every such
 Person, for every such Offence, shall forfeit the Sum of ~~fifty pounds~~
 to be recovered in a summary Way, before the Justices of the Peace at
 their Quarter-Sessions, or before the Judge or Judges at the Assizes for
 the said County of *Lancaster*; and the Person so prosecuted shall prove
 that he is so qualified as above, or otherwise shall pay the said Sum of
~~fifty pounds~~ without any other Proof or Evidence, on the Part of the Pro-
 secutor, than that such Person has acted as a Trustee in the Execution of this
 Act; of which said Forfeiture one ~~Third~~ shall be paid to the Prosecutor,
 and the Remainder thereof shall be applied in repairing the said Road.

Persons hold-
 ing Places of
 Profit not to
 act.

Provided always, and be it further Enacted, by the Authority
 aforesaid, That no Trustee shall have any Place of Profit arising out of, or
 by Reason of, the Tolls or Duties hereby laid; but every such Person shall
 be incapable of acting as a Trustee, during his Enjoyment of such Place
 of Profit.

Trustees, be-
 ing Justices,
 may act as
 such.

Provided also, and be it further Enacted, by the Authority afore-
 said, That such Trustees as are or shall be in the Commission of the Peace,
 shall and may nevertheless act as Justices of the Peace, for the more speedy
 and effectual putting in Execution the several Powers hereby given.

Proceedings
 to be entered
 in a Book.

Provided also, and it is hereby further Enacted, by the Authority
 aforesaid, That all Orders and Proceedings of the Trustees shall be entered
 in a Book or Books, to be kept for that Purpose; and such Orders and
 Proceedings, so entered, shall be signed by ~~five~~ *five* or more of the said
 Trustees, at any of their Meetings; and such Orders shall be deemed and
 taken to be original Orders; which said Book or Books, and also the said
 Book directed to be kept for registering the said Mortgages and Assignments,
 shall and may be produced, and read in Evidence, in all Cases of Appeals
 in Suits or Actions touching any thing done in pursuance of this Act.

Stamps not
 requisite.

Provided also, That no Writing whatsoever under the Hand and Seal,
 or only signed by, any of the Trustees, or any Justice or Justices of the
 Peace, or exhibited before them, or any of them, touching the Execution
 of any Power or Authority hereby granted, shall be chargeable with any
 Stamp-Duty whatsoever.

Roads to be
 measured, and
 Mile-stones
 erected.

And be it further Enacted, by the Authority aforesaid, That the
 said Trustees, or any ~~seven~~ *seven* or more of them, may cause the said Road
 to be measured, and such Stones or Posts to be erected thereon, or in, or
 near the Sides thereof, at the Distance of One Mile each from the other,
 denoting the Distances of every such Stone or Post, from any other Place, as
 to the said Trustees, or any ~~seven~~ *seven* or more of them, shall seem meet; and
 the Property of the said Stones or Posts shall be, and the same is hereby
 vested in the said Trustees.

Provided

**No Turnpike
to be erected
on the Hali-
fax Part of
the Road.**

Limitation of Actions.

Public Act.

[Faint handwritten notes, possibly a list or index, written vertically along the left margin.]



B I L L

F O R

*Repairing and Widening the
Road from Rochdale to
Burnley, in the County of
Lancaster.*

✓
Examined